



IFW

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number 10/815,778

Filing Date April 2, 2004

First Named Inventor Vunjak-Novakovic

Art Unit 1356

Examiner Name

Attorney Docket Number X-9408

ENCLOSURES (Check all that apply)

☐ Fee Transmittal Form

☐ Fee Attached

☐ Amendment/Reply

☐ After Final

☐ Affidavits/declaration(s)

☐ Extension of Time Request

☐ Express Abandonment Request

☐ Information Disclosure Statement

☐ Certified Copy of Priority Document(s)

☐ Reply to Missing Parts/
Incomplete Application

☐ Reply to Missing Parts
under 37 CFR 1.52 or 1.53

☐ Drawing(s)

☐ Licensing-related Papers

☐ Petition

☐ Petition to Convert to a
Provisional Application

☐ Power of Attorney, Revocation

☐ Change of Correspondence Address

☐ Terminal Disclaimer

☐ Request for Refund

☐ CD, Number of CD(s) _____

☐ Landscape Table on CD

☐ After Allowance Communication to TC

☐ Appeal Communication to Board
of Appeals and Interferences

☐ Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)

☐ Proprietary Information

☐ Status Letter

☒ Other Enclosure(s) (please identify
below):

Remarks

Request for Corrected Filing Receipt and Exhibits A and B

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name GIPPLE & HALE

Signature

Printed name John S. Hale

Date October 7, 2004

Reg. No. 25,209

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

Typed or printed name

Date

This collection of information is required by 37 CFR 1.5: The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of :

VUNJAK-NOVAKOVIC, et al. :

Serial No.: 10/815,778 :

Examiner _____

Filed: April 2, 2004 :

Art Unit 1356

For: CARTILAGE IMPLANT ASSEMBLY :
AND METHOD FOR IMPLANTATION :

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

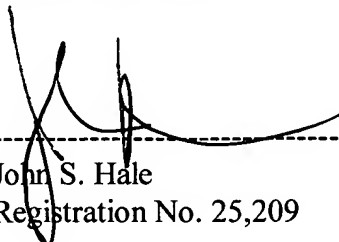
REQUEST FOR CORRECTED FILING RECEIPT

Our office has received the attached filing receipt, Exhibit A, for the above-captioned case. The inventor, William W. **Tomford**'s name is misspelled on the Official Filing Receipt as Thomford, erroneously adding an "h". The correct and complete name of this inventor is William W. **Tomford**. A highlighted copy of the Missing Parts Submission filed on September 3, 2004 is attached, reflecting the correct spelling of the name **Tomford** on the Declaration, Assignment Recordation Form Cover Sheet, Assignment, a copy of which is also attached as Exhibit B.

The undersigned respectfully requests that the Office issue a corrected filing receipt, correcting the misspelling of the Inventor's name.

Respectfully submitted,

GIPPLE & HALE



John S. Hale
Registration No. 25,209

6665-A Old Dominion Drive
McLean, Virginia 22101
(703) 4448-1770 ext. 304
Attorney Reference: X-9408



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

| APPL NO. | FILING OR 371 (c) DATE | ART UNIT | FIL FEE REC'D | ATTY. DOCKET NO | DRAWINGS | TOT CLMS | IND CLMS |
|------------|---------------------------|----------|---------------|-----------------|----------|----------|----------|
| 10/815,778 | 04/02/2004 | 3738 | 1486 | X-9408 | 2 | 43 | 5 |

00615
 JOHN S. HALE
 GIPPLE & HALE
 6665-A OLD DOMINION DRIVE
 MCLEAN, VA 22101

CONFIRMATION NO. 8172
 UPDATED FILING RECEIPT



OC000000013896134

Date Mailed: 09/24/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Gordana Vunjak-Novakovic, Belmont, MA;
 Katherine Ann Gomes Truncale, Hillsborough, NJ;
 Moon Hae Sunwoo, Old Tappan, NJ;
 Arthur A. Gertzman, Flemington, NJ;
 William W. Thomford, Belmont, MA;

Power of Attorney:

JIM W. GIPPLE-18906
 John Hale-25209

Domestic Priority data as claimed by applicant

Foreign Applications

If Required, Foreign Filing License Granted: 06/16/2004

The number of your priority application, to be used for filing abroad under the Paris Convention is,
US10/815,778

Projected Publication Date: 10/06/2005

Non-Publication Request: No

Early Publication Request: No



Title

Cartilage implant assembly and method for implantation

Preliminary Class

623

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

 **COPY**

The "Received" stamp of the
Patent Office imp[ri]nted hereon
acknowledges the filing of:

Transmittal, Fee Transmittal, Submission of Missing Parts;
Copy of Notice To File Missing Parts dated July 20, 2004,
Patent Declaration, Recordation Form Cover Sheet,
Assignment, Power of Attorney and Statement under 35
CFR 3.73(b) for Assignee, Check for \$170.00

Description
of Paper: _____

Name of
Applicant: Vunjak-Novakovic, et al.

App. No. 10/815,778

Serial No.: X-9408

Atty. File No.: _____

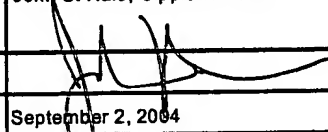
Due Date: 09/20/2004



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| | | |
|---|------------------------|------------------|
| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | Application Number | 10/815,778 |
| | Filing Date | April 2, 2004 |
| | First Named Inventor | Vunjak-Novakovic |
| | Art Unit | 1356 |
| | Examiner Name | |
| Total Number of Pages in This Submission | Attorney Docket Number | X-9408 |

COPY

| ENCLOSURES (Check all that apply) | | |
|--|---|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input checked="" type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): |
| Remarks Assignment Recordation Form, Assignment, Statement under 37 CFR 3.73(b) | | |
| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | | |
| Firm or Individual name | John S. Hale, Gipple & Hale | |
| Signature |  | |
| Date | September 2, 2004 | |

| CERTIFICATE OF TRANSMISSION/MAILING | | |
|---|--|------|
| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. | | |
| Typed or printed name | | |
| Signature | | Date |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 170.00

Complete if Known

Application Number 10/815,778
Filing Date April 2, 2004
First Named Inventor Vunjak-Novakovic
Examiner Name
Art Unit 1365
Attorney Docket No. X-9408

COPY

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit
Account
Number
Deposit
Account
Name

07-1340

GIPPLE & HALE

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments
☒ Charge any additional fee(s) or any underpayment of fee(s)
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description | Fee Paid |
|-------------------------------|-------------------------------|------------------------|----------|
| 1001 770 | 2001 385 | Utility filing fee | |
| 1002 340 | 2002 170 | Design filing fee | |
| 1003 530 | 2003 265 | Plant filing fee | |
| 1004 770 | 2004 385 | Reissue filing fee | |
| 1005 160 | 2005 80 | Provisional filing fee | |
| SUBTOTAL (1) | | | (\$) 0 |

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Extra Claims Fee from below Fee Paid
Total Claims -20** = X =
Independent Claims -3** = X =
Multiple Dependent =

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description |
|-------------------------------|-------------------------------|--|
| 1202 18 | 2202 9 | Claims in excess of 20 |
| 1201 86 | 2201 43 | Independent claims in excess of 3 |
| 1203 290 | 2203 145 | Multiple dependent claim, if not paid |
| 1204 86 | 2204 43 | ** Reissue independent claims over original patent |
| 1205 18 | 2205 9 | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$) 0

**or number previously paid. If greater: For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES


| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description | Fee Paid |
|-------------------------------|-------------------------------|--|----------|
| 1051 130 | 2051 65 | Surcharge - late filing fee or oath | 130.00 |
| 1052 50 | 2052 25 | Surcharge - late provisional filing fee or cover sheet | |
| 1053 130 | 1053 130 | Non-English specification | |
| 1812 2,520 | 1812 2,520 | For filing a request for ex parte reexamination | |
| 1804 920* | 1804 920* | Requesting publication of SIR prior to Examiner action | |
| 1805 1,840* | 1805 1,840* | Requesting publication of SIR after Examiner action | |
| 1251 110 | 2251 55 | Extension for reply within first month | |
| 1252 420 | 2252 210 | Extension for reply within second month | |
| 1253 950 | 2253 475 | Extension for reply within third month | |
| 1254 1,480 | 2254 740 | Extension for reply within fourth month | |
| 1255 2,010 | 2255 1,005 | Extension for reply within fifth month | |
| 1401 330 | 2401 165 | Notice of Appeal | |
| 1402 330 | 2402 165 | Filing a brief in support of an appeal | |
| 1403 290 | 2403 145 | Request for oral hearing | |
| 1451 1,510 | 1451 1,510 | Petition to institute a public use proceeding | |
| 1452 110 | 2452 55 | Petition to revive - unavoidable | |
| 1453 1,330 | 2453 665 | Petition to revive - unintentional | |
| 1501 1,330 | 2501 665 | Utility issue fee (or reissue) | |
| 1502 480 | 2502 240 | Design issue fee | |
| 1503 640 | 2503 320 | Plant issue fee | |
| 1460 130 | 1460 130 | Petitions to the Commissioner | |
| 1807 50 | 1807 50 | Processing fee under 37 CFR 1.17(q) | |
| 1806 180 | 1806 180 | Submission of Information Disclosure Stmt | |
| 8021 40 | 8021 40 | Recording each patent assignment per property (times number of properties) | 40.00 |
| 1809 770 | 2809 385 | Filing a submission after final rejection (37 CFR 1.129(a)) | |
| 1810 770 | 2810 385 | For each additional invention to be examined (37 CFR 1.129(b)) | |
| 1801 770 | 2801 385 | Request for Continued Examination (RCE) | |
| 1802 900 | 1802 900 | Request for expedited examination of a design application | |

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 170.00

SUBMITTED BY

Name (Print/Type) John S. Hale Registration No. 25,209 Telephone 703-448-1770
Signature  Date September 2, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

VUNJAK-NOVAKOVIC, et al.

Serial No.: 10/815,778

Filed: April 2, 2004

For: CARTILAGE IMPLANT ASSEMBLY
AND METHOD FOR IMPLANTATION

 COPY

Examiner _____

Art Unit 1356

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

SUBMISSION OF MISSING PARTS

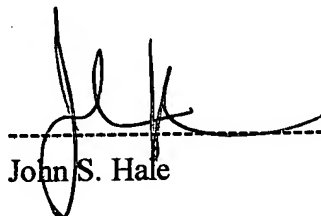
Pursuant to the Notice to File Missing Parts of Nonprovisional Application, dated July 20, 2004 (copy attached), Applicant hereby submits the following executed papers:

1. Declaration and Power of Attorney
2. Assignment Recordation Form Cover Sheet
3. Assignment
4. Power of Attorney for Assignee
5. Statement under 37 CFR 3.73(b)
6. The required surcharge (Large Entity) for this submission of missing parts and Assignment Recordation Fee totally \$170.00.

Please identify this application on the Office Filing Receipt as Attorney Docket Number X-9408. Should any adjustment in fees be required, kindly debit or credit our Deposit Account Number 07-1340 as required.

Respectfully submitted,

GIPPLE & HALE


John S. Hale

Registration No. 25,209

6665-A Old Dominion Drive
McLean, Virginia 22101
(703) 4448-1770 ext. 304
Attorney Reference: X-9408





UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|--------------------------|------------------------|
| 10/815,778 | 04/02/2004 | Gordana Vunjak-Novakovic | X-9408 |

CONFIRMATION NO. 8172

FORMALITIES LETTER



OC000000013275952

00615
 JOHN S. HALE
 GIPPLE & HALE
 6665-A OLD DOMINION DRIVE
 MCLEAN, VA 22101

Date Mailed: 07/20/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

John Ware

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



COPY

DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)

Declaration
Submitted
With Initial
Filing

OR

Declaration
Submitted after Initial
Filing (surcharge
(37 CFR 1.16 (e))
required)Attorney Docket
Number

X-9408

First Named Inventor

Vunjak-Novakovic

COMPLETE IF KNOWN

Application Number

10/815,778

Filing Date

April 2, 2004

Art Unit

1356

Examiner Name

COPY

I hereby declare that:

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

CARTILAGE IMPLANT ASSEMBLY AND METHOD FOR IMPLANTATION

(Title of the Invention)

the specification of which



is attached hereto

OR



was filed on (MM/DD/YYYY)

04/02/2004

as United States Application Number or PCT International

Application Number

10/815,778

and was amended on (MM/DD/YYYY)

(if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

| Prior Foreign Application Number(s) | Country | Foreign Filing Date (MM/DD/YYYY) | Priority Not Claimed | Certified Copy Attached? | |
|--|---------|-------------------------------------|--------------------------|--------------------------|--------------------------|
| | | | | YES | NO |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |



Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.



[Page 1 of 2]

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance completing the form, call 1-800-PTO-9199 and select option 2.

DECLARATION — Utility or Design Patent Application

COPY

| | | | |
|---|-------------|---|-------------------|
| Direct all correspondence to: <input checked="" type="checkbox"/> Customer Number: 00615 | | OR <input type="checkbox"/> Correspondence address below | |
| Name | | | |
| Address | | | |
| City | | State | ZIP |
| Country | Telephone | Fax | |
| I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. | | | |
| NAME OF SOLE OR FIRST INVENTOR: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle [if any]) Gordana | | Family Name or Surname Vunjak-Novakovic | |
| Inventor's Signature  | | Date | |
| Residence: City Belmont | State MA | Country US | Citizenship US |
| Mailing Address 305 Fitzmaurice Circle | | | |
| City Belmont | State MA | ZIP 02478 | Country US |
| NAME OF SECOND INVENTOR: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle [if any]) Katherine Ann Gomes | | Family Name or Surname Truncala | |
| Inventor's Signature  | | Date 8-20-04 | |
| Residence: City Hillsborough | State NJ | Country US | Citizenship US |
| Mailing Address 114 Meadowbrook Drive | | | |
| City Hillsborough | State NJ | ZIP 08844 | Country US |
| <input checked="" type="checkbox"/> Additional inventors or a legal representative are being named on the 1 supplemental sheet(s) PTO/SB/02A or 02LR attached hereto. | | | |

DECLARATION**ADDITIONAL INVENTOR(S)**
Supplemental SheetPage 1 of 1**COPY**

| | | | |
|---|-------------|---|-------------------|
| Name of Additional Joint Inventor, if any: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle (if any)) | | Family Name or Surname | |
| Moon Hae | | Sunwoo | |
| Inventor's Signature <i>Moon Hae Sunwoo</i> | | Date <i>20 Aug 2004</i> | |
| Old Tappan Residence: City | NJ State | US Country | US Citizenship |
| 28 Lakeview Drive Mailing Address | | | |
| Mailing Address | | | |
| Old Tappan City | NJ State | 07675 Zip | US Country |
| Name of Additional Joint Inventor, if any: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle (if any)) | | Family Name or Surname | |
| Arthur A. | | Gertzman | |
| Inventor's Signature <i>Arthur A. Gertzman</i> | | Date <i>8-24-04</i> | |
| Flemington Residence: City | NJ State | US Country | US Citizenship |
| 17 Biggs Place Mailing Address | | | |
| Mailing Address | | | |
| Flemington City | NJ State | 08822 Zip | US Country |
| Name of Additional Joint Inventor, if any: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle (if any)) | | Family Name or Surname | |
| William W. | | Tomford | |
| Inventor's Signature <i>William W. Tomford</i> | | Date <i>8-4-04</i> | |
| Belmont Residence: City | MA State | US Country | US Citizenship |
| 72 Pinehurst Road Mailing Address | | | |
| Mailing Address | | | |
| Belmont City | MA State | 02478 Zip | US Country |

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

**RECORDATION FORM COVER SHEET
PATENTS ONLY**

COPY

To the Director of the U.S. Patent and Trademark Office: Please record the attached documents or the new address(es) below.

1. Name of conveying party(ies)/Execution Date(s):

Katherine Ann Gomes Truncale
Moon Hae Sunwoo
Arthur A. Gertman
William W. Tomford

Execution Date(s) August 11, 20, & 24, 2004

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:

- ☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Government Interest Assignment
☐ Executive Order 9424, Confirmatory License
☐ Other _____

2. Name and address of receiving party(ies)

Name: Musculoskeletal Transplant Foundation

Internal Address: Edison Corporate Center

Suite 200

Street Address: 125 May Street

City: Edison

State: New Jersey

Country: US Zip: 08837

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application or patent number(s):

☐ This document is being filed together with a new application.

A. Patent Application No.(s)

10/815,778

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address to whom correspondence concerning document should be mailed:

Name: John S. Hale

Internal Address: GIPPLE & HALE

Street Address: 6665-A Old Dominion Drive

City: McLean

State: VA Zip: 22101

Phone Number: 703-448-1770

Fax Number: 703-448-7780

Email Address: gipple.hale@verizon.net

6. Total number of applications and patents involved:

1

7. Total fee (37 CFR 1.21(h) & 3.41) \$ 40.00

- ☐ Authorized to be charged by credit card
☐ Authorized to be charged to deposit account
☒ Enclosed
☐ None required (government interest not affecting title)

8. Payment Information

a. Credit Card Last 4 Numbers _____
Expiration Date _____

b. Deposit Account Number 07-1340

Authorized User Name GIPPLE & HALE

9. Signature:

Signature

September 2, 2004

Date

John S. Hale

Name of Person Signing

Total number of pages including cover sheet, attachments, and documents:

5

ASSIGNMENT

WHEREAS, KATHERINE ANN GOMES TRUNCALE (hereinafter referred to as “assignor” and jointly as “assignors”) depose and say that I am a citizen of the United States of American and an individual residing at 114 Meadowbrook Drive, Hillsborough, New Jersey 08844; MOON HAE SUNWOO, Ph.D. (hereinafter referred to as “assignor” and jointly as “assignors”) depose and say that I am a citizen of the United States of American and an individual residing at 28 Lakeview Drive, Old Tappan, New Jersey 07675; ARTHUR A. GERTZMAN (hereinafter referred to as “assignor” and jointly as “assignors”) depose and say that I am a citizen of the United States of America and an individual residing at 17 Biggs Place, Flemington, New Jersey 08822; and WILLIAM W. TOMFORD, M.D. (hereinafter referred to as “assignor” and jointly as “assignors”) depose and say that I am a citizen of the United States of America and an individual residing as 72 Pinehurst Road, Belmont, MA 02478; and have invented certain new and useful improvements in an improved cartilage allograft plug for which we have filed an application for United States Letters Patent Application Number 10/815,778, filed April 2, 2004; entitled CARTILAGE IMPLANT ASSEMBLY AND METHOD FOR IMPLANTATION; and

WHEREAS, Musculoskeletal Transplant Foundation (hereinafter referred to as “Assignee”) a corporation organized for not for profit under the laws of the District of Columbia, having a principal place of business at Edison Corporate Center, 125 May Street, Suite 300, Edison, New Jersey 08837, is desirous of acquiring our entire right, title, and interest in and to the said invention, and in and to the said application and any Letters Patent that may issue thereon;

NOW THEREFORE, for and in consideration of five dollars (\$5.00), and other good and valuable consideration, the receipt of which is hereby acknowledged, Assignors do hereby sell and assign to the said Assignee its successors and assigns, the entire right, title, and interest in and to the said invention and in and to the said application and all patents which may be granted therefor, and all divisions, reissues, substitutions, continuations, and extensions thereof; and each Assignor hereby authorizes and requests the Commissioner of Patents to issue all patents for said invention, or patents resulting therefrom insofar as her or his interest is concerned, to the said Assignee of her or his entire right, title, and interest;

Assignors also hereby sell and assign to Assignee’s successors and assigns, their foreign rights to the invention disclosed in said application, in all patent granting countries of the world,

including the right to file applications and obtain patents for said invention in Assignee's own name in said countries and including all rights of priority in said countries under the terms of the International Convention for the Protection of Industrial Property, and Assignors further agree to execute any and all patent applications, assignments, affidavits, and any other papers in connection therewith necessary to perfect such patent rights;

Each Assignor hereby further agrees that she or he will communicate to said Assignee or to its successors, assigns, and legal representatives, any facts known to her or him respecting any improvements, and at the expense of said Assignee, to testify in any legal proceedings, sign all lawful papers, execute all divisional, continuation, reissue and substitute applications, make all lawful oaths, and generally do everything possible to aid said Assignee its successors, assigns, and nominees to obtain and enforce proper patent protection for said invention in all countries.

IN WITNESS WHEREOF, We have set our hand and seal this 11 day of August, 2004.

Katherine Ann Gomes Truncale
Katherine Ann Gomes Truncale

Moon Hae Sunwoo
Moon Hae Sunwoo, Ph.D.

Arthur A. Gertzman
Arthur A. Gertzman

William W. Tomford
William W. Tomford, M.D.

MASSACHUSETTS
STATE OF ~~NEW JERSEY~~

COUNTY OF SUFFOLK

:
: SS
:

On this 11th day of August, 2004, before me, a Notary Public, in
Boston, MA, 02114

and for the aforesaid, personally appeared Katherine Ann Gomes Truncale, to me known and known by me to be the person who signed and sealed this foregoing instrument, and she acknowledged the same to be her own free act and deed.

My commission expires 1/22/2008.

SEAL:


Notary Public

STATE OF NEW JERSEY

COUNTY OF

Middlesex

:
: SS
:

On this 20th day of August, 2004, before me, a Notary Public, in and for the aforesaid, personally appeared Moon Hae Sunwoo, Ph.D., to me known and known by me to be the person who signed and sealed this foregoing instrument, and she acknowledged the same to be her own free act and deed.

My commission expires 1/22/08.

SEAL:


Notary Public

STATE OF NEW JERSEY

COUNTY OF

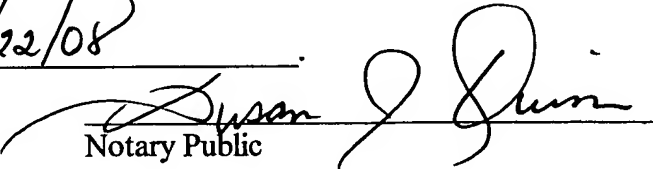
Middlesex

:
: SS
:

On this 24 day of August, 2004, before me, a Notary Public, in and for the aforesaid, personally appeared Arthur A. Gertzman, to me known and known by me to be the person who signed and sealed this foregoing instrument, and he acknowledged the same to be his own free act and deed.

My commission expires 1/22/08.

SEAL:


Notary Public

MASSACHUSETTS
STATE OF NEW JERSEY

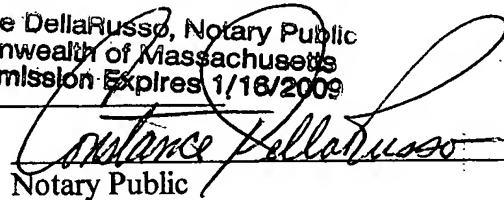
:
: SS

COUNTY OF SUFFOLK

On this 11th day of August, 2004, before me, a Notary Public, in
and for the aforesaid, personally appeared William W. Tomford, M.D., to me known and known by
me to be the person who signed and sealed this foregoing instrument, and he acknowledged the same
to be his own free act and deed.

My commission expires _____

Constance DellaRusso, Notary Public
Commonwealth of Massachusetts
My Commission Expires 1/16/2009


Notary Public

SEAL:

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**POWER OF ATTORNEY
and
CORRESPONDENCE ADDRESS
INDICATION FORM**

| | |
|------------------------|--------------------------------|
| Application Number | 10/815,778 |
| Filing Date | April 2, 2004 |
| First Named Inventor | Vunjak-Novakovic |
| Title | CARTILAGE IMPLANT-ASSEMBLY AND |
| Art Unit | 1356 |
| Examiner Name | |
| Attorney Docket Number | X-9408 |

I hereby appoint:

☐ Practitioners associated with the Customer Number:

OR

☒ Practitioner(s) named below:

| Name | Registration Number |
|--------------|---------------------|
| John S. Hale | 25,209 |
| J.W. Gipple | 18,906 |
| | |
| | |

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

☐ The address associated with the above-mentioned Customer Number:

OR

☒ The address associated with Customer Number:

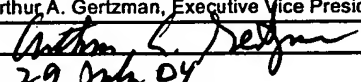
00615

OR

| | | | | |
|--------------------------|-------------------------|-------|-----|--|
| <input type="checkbox"/> | Firm or Individual Name | | | |
| | Address | | | |
| | Address | | | |
| | City | State | Zip | |
| | Country | | | |
| | Telephone | Fax | | |

I am the:

☐ Applicant/Inventor.☒ Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)**SIGNATURE of Applicant or Assignee of Record** (if assignee, put name, title and company name in the "Name" space below)

| | | | |
|-----------|---|-----------|--|
| Name | Arthur A. Gertzman, Executive Vice President R&D, MUSCULOSKELETAL TRANSPLANT FOUNDATION | | |
| Signature |  | | |
| Date | 29 July 04 | Telephone | |

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☐ *Total of _____ forms are submitted.

This collection of information is required by 37 CFR 1.31 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

STATEMENT UNDER 37 CFR 3.73(b)



COPY

Applicant/Patent Owner: Vunjak-Novakovic, et al.

Application No./Patent No.: 10/815,778 Filed/Issue Date: April 2, 2004

Entitled: CARTILAGE IMPLANT ASSEMBLY AND METHOD FOR IMPLANTATION

Musculoskeletal Transplant Foundation, a corporation
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
The extent (by percentage) of its ownership interest is _____ %
in the patent application/patent identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☐ Copies of assignments or other documents in the chain of title are attached.
[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

24 July 04
Date

Telephone number _____

Arthur A. Gertzman

Arthur A. Gertzman
Signature

Executive Vice President Research & Develop
Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.